UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,437	03/02/2002	Kimmo Laiho	004770.00033	3461

22907   7590   12/11/2007

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EXAMINER
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ART UNIT	PAPER NUMBER
2618	

MAIL DATE	DELIVERY MODE
12/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/087,437	LAIHO ET AL.
	Examiner	Art Unit	
	Tu X. Nguyen	2618	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *31 October 2007*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-5,8-9,12-17,19-20,22-31,34,36-38,40-50,52-53* is/are pending in the application.

    4a) Of the above claim(s) *6,7,10,11,18,21,32,33,35,39 and 51* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☐ Claim(s) *1-5,8-9,12-17,19-20,22-31,34,36-38,40-50,52-53* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *02 March 2002* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date .

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Response to Amendment

Applicant's arguments, dated 10/31/07, have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 8-9, 16-17, 19, 31, 34, 36-38, 40 and 52, are rejected under 35 U.S.C. 103(a) as being unpatentable over Cloutier et al. (US Patent 6891852) in view of Lubin et al. (US Patent 6434395).

Regarding claims 1 and 31, Cloutier et al. disclose a method comprising the steps of:

Receiving, at a mobile terminal, buffered data as a transmission burst in a time-slicing signal, the buffered data corresponding to a first portion of an information stream, said digital transmission burst having a duration smaller than the duration of said first portion of said information stream (see col.2 lines 11-25, col.3 lines 29-31);

buffering said digital transmission burst in a receiver input buffer of the digital broadcast receiver (see col.2 lines 11-25, it is considered that the wireless is included a buffer for receiving data from the wireless network).

Cloutier et al. disclose fail to disclose powering-up a digital broadcast receiver in the mobile terminal in synchronicity with the transmission of said digital broadcast transmission burst such that the mobile terminal is powered-up when said digital broadcast transmission burst is being received.

Cloutier et al. teaching an inactivity and activity period burst detection between to terminals for transferring data (see col.6 lines 32-44); however Cloutier et al. fail to disclose powering-up a receiver in the mobile terminal in synchronicity with the transmission of said transmission burst such that the mobile terminal is powered-up when said transmission burst is being received.

Lubin et al. disclose powering-up a receiver in the mobile terminal in synchronicity with the transmission of said transmission burst such that the mobile terminal is powered-up when said transmission burst is being received (see col.13 lines 34-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Cloutier et al. with the above teaching of Lubin et al. in order to provide a power conserve feature to timely activate circuitry to receive data.

Regarding claim 2, the modified Cloutier et al. disclose a FIFO buffer (see Lubin(see col.13 lines 34-48); however the modified Cloutier et al. fail to disclose an elastic buffer, a ring buffer, and a dual buffer having separate input and output section, the Examiner takes an official notice that an elastic buffer, a ring buffer, and a dual buffer having separate input and output section are all well known in the art as available buffer types of ROM and RAM, hard disk or W/R CDROM.

Regarding claim 3, the modified Cloutier et al. disclose buffered data comprises at least one of: a predetermined amount of said information stream and an amount of said information stream received during a predetermined time interval (see Cloutier, fig.3).

Regarding claim 4, the modified Cloutier et al. disclose said step of powering-up said receiver occurs a specified interval of time prior to said step of receiving (see Lubin, col.13 lines 34-48).

Regarding claim 5, the modified Cloutier et al. disclose said specified interval of time comprises a member of the group consisting of: a bit-rate adaptation time (see Cloutier, col.5 lines 39-50), a receiver switch-on time, and a receiver acquisition time (see Lubin, col.13 lines 34-48).

Regarding claims 8 and 36-38, the modified Cloutier et al. disclose the step of powering-down said receiver a predefined interval of time subsequent to said step of powering-up said receiver (see Cloutier, fig.4A-4B).

Regarding claim 9, the modified Cloutier et al. disclose said predefined interval of time comprises a time interval greater than said duration of said transmission burst (see Cloutier, fig.4A-4B).

Regarding claim 16, the modified Cloutier et al. disclose receiving a second buffered data as a second digital broadcast transmission burst, said second digital broadcast transmission burst having a duration smaller than the duration of said portion of said second information stream, wherein the second buffered data comprises a portion of a second information stream (see Cloutier et al., fig.2).

Regarding claim 17, the modified Cloutier et al. disclose the transmission burst and said second transmission burst are multiplexed produce a time-division multiplexed signal (see Cloutier, fig.2, col.1 lines 61-62).

Regarding claim 19, the modified Cloutier et al. disclose everything as claim 1 above. More specifically, the modified Cloutier et al. disclose a processor and memory configured to store computer readable instructions (see col.4 lines 50-51, a pocket computers is inherently included a processor and memory to store computer instructions to perform the tasks as described above).

Regarding claim 34, the modified Cloutier et al. disclose at least one service provided the information service provided via at least one information stream (see Cloutier, col.2 lines 12-19).

Regarding claim 40, the modified Cloutier et al. disclose an application processor forward converting said transmission burst into an information data stream (see Cloutier, col.4 lines 58-65).

Regarding claim 52, the modified Cloutier et al. disclose the streaming information comprises multimedia content (see Cloutier, col.2 lines 12-19).

Claims 43-45, are rejected under 35 U.S.C. 103(a) as being unpatentable over Cloutier et al. (US Patent 6891852) in view of Lubin et al. (US Patent 6434395) further in view of Hanko et al. (US Patent 6438141).

Regarding claim 43, the modified Cloutier et al. fail to disclose a second information service input buffer forward storing at least an interval of second streaming

information provide by a second information service provider; wherein said transmitter

system broadcasts the contents of said second service input buffer as a second

transmission burst (see Cloutier, col.4 lines 58-65).

Hanko et al. disclose a second information service input buffer forward storing at least an

interval of second streaming information provide by a second information service provider;

wherein said transmitter system broadcasts the contents of said second service input buffer as

a second transmission burst (see col.3 lines 43-50). Therefore, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to modify the system of the

modified Cloutier et al. with the above teaching of Hanko et al. in order to dynamically allocation

of available bandwidth cooperation between data sources and destinations in the management

processes.

Regarding claim 44, the modified Cloutier et al. disclose the transmission burst and said

second transmission burst are multiplexed produce a time-division multiplexed signal (see

Hanko, see col.3 lines 43-50).

Regarding claim 45, the modified Cloutier et al. disclose a network operator input buffer

(see Cloutier, col.4 lines 58-65).

Claims 46 and 53, are rejected under 35 U.S.C. 103(a) as being unpatentable over

Cloutier et al. (US Patent 6891852) in view of Lubin et al. (US Patent 6434395) further in view

of Chin et al. (US Patent 6778556).

Regarding claim 46, Cloutier et al. disclose a method comprising:

receiving, streaming, information from a service provider transmitting, from a digital

broadcast transmitter, said streaming information as a digital broadcast transmission burst to a

remote mobile terminal at a higher bit rate than the rate at which said streaming information is

received from the service provider (see col.2 lines 11-25, col.3 lines 29-31).

Cloutier et al. fail to disclose the transmission is synchronized with a powering-up of the

remote mobile terminal.

Lubin et al. disclose the transmission is synchronized with a powering-up of the remote

mobile terminal (see col.13 lines 34-48). Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the system of Cloutier et

al. with the above teaching of Lubin et al. in order to provide a power conserve feature to

timely activate circuitry to receive data.

The modified Cloutier et al. fail to disclose service provider transmitting at a higher data

rate than the rate at the remote mobile terminal receive.

Chin et al. disclose service provider transmitting at a higher data rate than the rate at

the remote mobile terminal receive (see col.3 lines 13-26). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify the

system of the modified Cloutier et al. with the above teaching of Chin et al. in order to provide

a service provider network which having a much more high bandwidth capability to serve

multiple remote terminals.

Regarding claim 53, the modified Cloutier et al. disclose a size of the digital

broadcast transmission burst is defined independently of a receiver bandwidth allocation

(see Cloutier, col.5 lines 39-41).

Claims 12-13 and 41, are rejected under 35 U.S.C. 103(a) as being unpatentable over Cloutier et al. in view of Lubin et al. (US Patent 6434395) further in view of Pekonen (US Patent 7130313).

Regarding claims 12-13 and 41, Cloutier et al. fail to disclose the buffered data is encapsulated using a multi-protocol encapsulator to form encapsulated data standard EN 301192.

Pekonen discloses the buffered data is encapsulated using a multi-protocol encapsulator to form encapsulated data standard EN 301192 (see col.5 lines 31-42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of the modified Cloutier et al. with the above teaching of Pekonen in order to provide Multi Protocol Encapsulatior for routing the packet data.

Claims 47-50, are rejected under 35 U.S.C. 103(a) as being unpatentable over Cloutier et al. (US Patent 6891852) in view of Lubin et al. (US Patent 6434395), in view of Chin et al. (US Patent 6778556) further in view of Pekonen (US Patent 7130313). .

Regarding claims 47-48, Cloutier et al. fail to disclose the buffered data is encapsulated using a multi-protocol encapsulator to form encapsulated data standard EN 301192.

Pekonen discloses the buffered data is encapsulated using a multi-protocol encapsulator to form encapsulated data standard EN 301192 (see col.5 lines 31-42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

modify the system of the modified Cloutier et al. with the above teaching of Pekonen in order to

provide Multi Protocol Encapsulatior for routing the packet data.

Regarding claim 49, the modified Cloutier et al. disclose a multiplexer (see Pekonen,

fig.4, element 33).

Regarding claim 50, the modified Cloutier et al. disclose a network operator input buffer

(see Cloutier, col.4 lines 58-65).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner

should be directed Tu Nguyen whose telephone number is 571-272-7883.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward Urban, can be reached at (571) 272-7899. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 29, 2007